



Center for Urban and Regional Affairs

COMMUNITY ASSISTANTSHIP PROGRAM

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A Review of Feedlot, Shoreland, Renewable Energy, Telecommunications, & Agricultural Preservation Regulations of Nine Counties in Southwest MN

Prepared in partnership with
Southwest Regional Development Commission

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Driven to DiscoverSM

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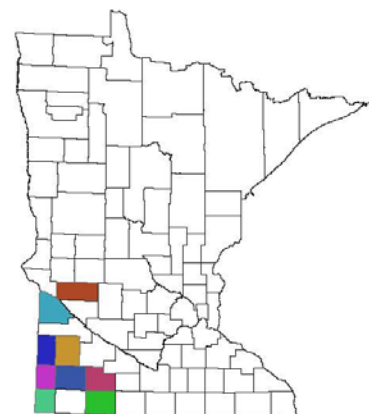
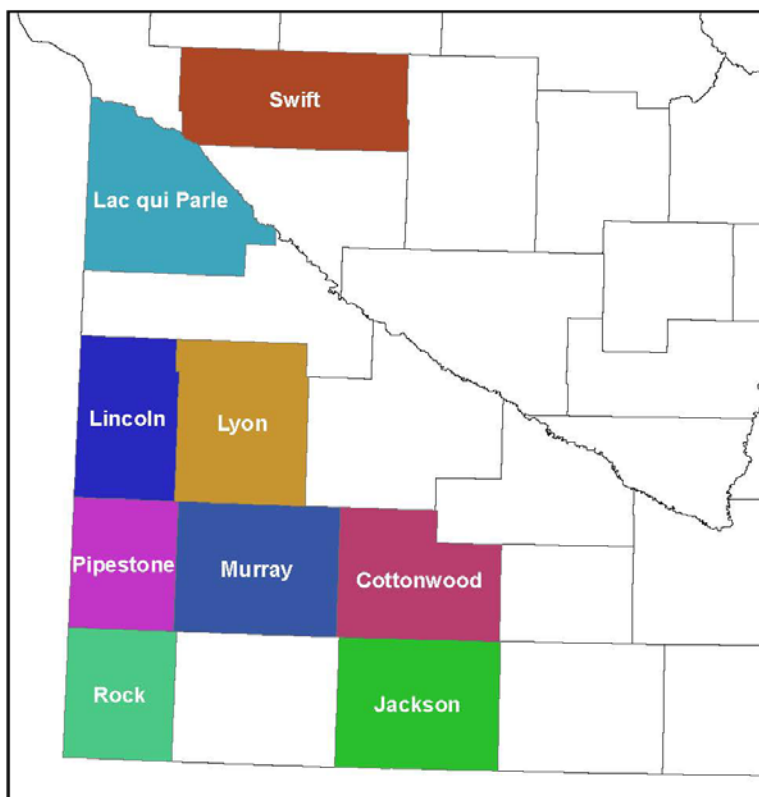
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Introduction

From January to May of 2018, the Southwest Regional Development Commission (SRDC) held a partnership with the Center for Urban and Regional Affairs (CURA) to examine the ordinances of nine counties in Southwestern Minnesota, where county officials wanted to learn more about the similarities and differences in how each county regulated five subjects- feedlots, shoreland, renewable energy, telecommunications, and agricultural preservation. This effort is made to identify potential sources of conflict for development that may be sited in multiple counties, and to also identify areas where some counties may be more restrictive or relaxed than their peers. The latter has economic development and quality of life impacts as regulations should not be so strict as to cause development to locate elsewhere, but should also not be so relaxed as to have negative impacts on the environment or quality of life.

The participating counties in this project are Cottonwood, Jackson, Lac qui Parle, Lincoln, Lyon, Murray, Pipestone, Rock, and Swift. Their ordinances were procured online through county websites or via email from county representatives. To conduct the comparison, the five subjects under each county's ordinance were reviewed, key definitions and regulations were selected (in particular those relating to permitting and physical location), and each were recorded into a spreadsheet to comprehensively compare the requirements across each jurisdiction. The only exception to this was for Shoreland, in which the differences between Minnesota Administrative Rules Chapter 6120 and the county's ordinance were recorded.

After the spreadsheet for each topic was completed, a second review was given to highlight where counties were similar and where they diverged. This revealed that a range of divergence exists between the counties depending on the topic. In some cases, the language of certain regulations or definitions were mirrored across all counties, while in other instances no two counties were exactly alike. These highlights were compiled into this report, along with some recommendations that could help increase ease of use for the reader and to streamline regulations across counties.

It is recommended that the accompanying spreadsheets for each topic also be reviewed alongside this summary report.



Feedlots

Feedlots

Definitions

- “Feedlot”
 - Uniform across all counties.
 - Jackson and Rock call out that off-site manure storage areas are considered as feedlots.
 - Lincoln and Swift call out that an authority will define the area covered by the feedlot.
- “New Feedlot”
 - Six counties have a basic definition similar to:
 - *An animal feedlot constructed and operated on a site where no animal feedlot existed previously or where a preexisting animal feedlot has been abandoned or unused for a period of five years or more* (Swift).
 - Jackson, Lac qui Parle, Lincoln, Murray, Rock, Swift
 - Cottonwood and Jackson both mention utilities as part of their definition.
 - Lyon and Pipestone have specific dates from which a feedlot will be considered new.
 - Pipestone and Rock mention that a feedlot is new if in excess of 500 feet of an existing feedlot.
- “Existing Feedlot” (+ “Expansion,” etc.)
 - There’s more variation here, but most counties base it off a specific date. Swift says “operational at this time.”
 - Rock and Jackson don’t have a definition for existing.
 - Jackson, Lincoln, and Pipestone have definitions for expansion of feedlots, and Murray has a definition for change in operation.
 - Only three things stand out in these definitions.
 - Cottonwood notes existing feedlots are nonconforming and would need to come into conformance after a year of discontinued operations.
 - Murray says a change in operation involved an increase in animal units beyond the permitted maximum number, or increase at an unpermitted site requiring construction, or change in construction operation affecting storage, use, or disposal of manure.
 - Pipestone’s definition of expansion included both expansions that require a new feedlot permit and/or building permit. If it doesn’t require new utilities and is less than 500 feet from an existing feedlot it is an expansion to an existing feedlot.

- “Dwelling,” “Residence”
 - Seven counties use the term “residence,” four use a form of “dwelling,” three use both, and Pipestone uses “neighboring house.”
 - Murray uses residence but doesn’t have a definition for it.
 - Lac qui Parle, Lincoln, Pipestone, and Swift connect the definition to time of occupation (though different times).
 - Jackson connects it to a market value.

Permitted Districts

- All nine counties permit feedlots in an Agricultural District.
 - Five of them limit the permitted number of Animal Units (AUs) up to 1,000.
 - Cottonwood, Jackson, Lac qui Parle, Murray, Rock
 - Two of them limit AUs to 300.
 - Lincoln, Lyon
 - Swift limits to 500 AUs.
 - Pipestone has no limit.
 - Jackson also permits Feedlots in the Conservancy District, and two Shoreland Areas.
- There are three general categories that will cause the need of a conditional use permit in the counties:
 - A larger number of AUs and location within a certain district or area.
 - The location near something else (i.e. property line, municipality).
 - Lac qui Parle, Murray, Rock, Swift
 - Related to manure management.
 - Earthen storage basin
 - Jackson, Lac qui Parle, Murray, Swift
 - Application in sensitive area.
 - Cottonwood
 - Only Pipestone does not have language for conditional uses, but notes that a land use permit is required.

General Provisions

- Four counties note that more than 10 AUs requires registration with the county.
 - Cottonwood, Jackson, Lincoln, Murray, and Rock
- More than 2,000 AUs requires County Board approval in Lincoln.
- Lac qui Parle and Swift require a permit or certificate of compliance at 50 and 51 AUs respectively.
- Lyon restricts total feedlot capacity to 3,000 AUs (2,000 AUs if swine).

Noticing

- Six counties outline noticing requirements.
 - Cottonwood, Jackson, Lac qui Parle, Lincoln, Pipestone, and Swift
- Cottonwood and Jackson require it when there are 500 or more AUs involved.
- Lac qui Parle and Swift are similar, outlining noticing requirements for conditional use permits and variances.
- Each county is similar in who is noticed and how, except that Pipestone instead says that the County Conservation and Zoning Office will complete the notification and charge the applicable fee.

Spatial Requirements

- All of the counties have some overlap in terms of the things to be set back from, including city boundaries, neighboring residences, churches, cemeteries, and parks. However the distances are different for each county. Some ordinances are also more detailed than others, breaking down distance requirements by animal type and quantity. Of the nine ordinances, Jackson County appears to have the simplest requirements.

Measurement

- Six of the counties specify how measurement should be done.
 - Four of them relate to nearest corner/point of structure.
 - Lyon is unclear but it seems to mean the structure, too.
 - Jackson: specifically to the foundations.
 - Swift: specifically to the closest barn of the feedlot.

Manure Management

- Four counties identify required storage capacities.
 - Lac qui Parle: 6 months
 - Lincoln: 1 year for swine; 7 months for other animals
 - Murray: 9 months
 - Swift: 9 months
- Three counties have distance requirements for manure storage.
 - Cottonwood, Jackson, Rock
 - Jackson has the most requirements.
- Pipestone does not have this section.

Dead Animal Management

- Four counties mention requirements involving dead animal management.
 - Cottonwood, Jackson, Lincoln, Murray
- Cottonwood is the most specific and has several setback requirements.

- Jackson also has a few spatial requirements.
- Murray is the only county that requires animals to be rendered or composted (under a Conditional Use Permit).

Other Regulations

- Cottonwood has additional non-spatial requirements for feedlots that are located in sensitive areas.

Recommendations

- Reciprocal regulations re: residential
 - A few of the ordinances mentioned reciprocity of spatial distance requirements from feedlots and residences, saying that a new home must be built at the same distance from an existing feedlot as a new feedlot would need to be built from an existing residence. I believe the clearest use of this requirement was found in Pipestone County, but it may not be necessary if it is mentioned where requirements for residences are located. The reason being that if I were to build a home, I would likely not review the Feedlots section.
- Animal Units
 - Be careful that numerical splits are consistent. A few ordinances would say, for instance, “less than 500 animal units is permitted,” but “greater than 500 animal units is conditional.” While a small inconsistency, it would create confusion for the rare occasion someone may have exactly 500 animal units. I also learned that in some instances some animals may be counted as less than 1, which adds to a potential for a “gray” area between these breaking points. This issue can be remedied by adding a rule of measurement for rounding, if a code does not already have it.
 - Many ordinances break down regulations by the number of animal units a feedlot has. There is opportunity to streamline these numerical cutoffs across counties so that the spatial and permitting requirements are consistent across boundaries.
- Noticing Requirements
 - About half of the counties mention noticing requirements in their feedlot ordinances. Other counties may keep noticing requirements in sections which I did not review. While there was some noticeable overlap, some of the distances of notification for neighboring property owners was different, providing an opportunity for review.
- Consolidation of requirements in Feedlot Section
 - Some codes have setback requirements in different sections of the zoning code. It may be better to have a reference such as “See Section _.”

A photograph of a calm lake under a cloudy sky. In the foreground, a wooden dock extends from the right side into the water. The water is still, reflecting the sky. In the distance, a line of trees marks the opposite shore. The word "Shoreland" is centered in the middle of the image in a large, black, sans-serif font.

Shoreland

Shoreland

General

Aside from definitions, only areas where ordinances differed from the State Rules Chapter 6120 are noted in this section.

- It appears the Pipestone County and Rock County are not based on the State Rules. The spirit of their regulations is similar, but the verbiage is not.
- “Normal” and “ordinary” are often used interchangeably in regards to the ordinary high water level/mark (OHWL).

Definitions

- “Shoreland”
 - All nine counties have the same definition of shoreland with the following notes:
 - Jackson’s notes that setback distances are identified on a state map.
 - Lincoln County is missing a line about the reduction of shoreland limits, which the other counties have:
 - *The limits of shorelands may be reduced whenever the waters involved are bounded by natural topographic divides which extends landward from the waters for lesser distances and when approved by the Commissioner of Natural Resources (Cottonwood).*
 - Lyon, Murray also add the County Commissioners to the end of that statement.
 - Pipestone has Commissioners in lieu of the Commissioner of Natural Resources.
- “Shore Impact Zone”
 - Only Pipestone did not have a definition for Shore Impact Zone and Lincoln added that the Zone would also include the land between the OHWL of a public water and a line parallel to it at a setback of 50 feet for permitted agricultural land uses.
- “Shoreland Setback”
 - While this was specifically called out as its own definition for some counties, the definition for setback or shoreland setback were consistent across all counties.
- “Floodplain”
 - The exact language of this definition was not the same across all of the counties, but the meaning is consistent.

- Only Jackson did not have a definition.
- Lincoln and Lyon also noted that floodplain areas encompass all areas designated as Zone A. Murray said Zone A and Zone AE.
- “Floodway”
 - Only Pipestone did not have a definition for Floodway.
 - Cottonwood and Lac qui Parle both start their definition with “The channel of the watercourse” whereas other counties say “The bed of a wetland or lake and the channel of a watercourse.”
- “Ordinary High Water Level”
 - This definition is consistent across all counties, but Pipestone does not include this portion: “For watercourses, the normal or ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flow ages, the normal or ordinary high water level is the operating elevation of the normal summer pool.”

Permitting

- There were many instances where counties specifically noted required permits, but they differ greatly among the counties. Swift did not mention anything specific outside of the State regulations whereas Murray mentioned a Shoreland Zoning Permit, an Environmental Service Office Review, a Fish House permit, Agricultural Conservation Erosion Control Plans, and an Aquatic Vegetation Removal permit for Beaches. The other counties fall somewhere in between these two, with many at least requiring a Certificate of Zoning Compliance (Cottonwood, Lac qui Parle, Lincoln, and Lyon).

Permitted Uses

- This was a difficult area to compare as there was quite a bit of variation between counties and between the counties and the State. Whereas the State would note permitted uses by Shoreland type and then lake and river class, every county except Rock had some variation on this ranging from instances like in Lac qui Parle which mirrored the state in content, but not structure to Lyon and Swift which had some uses listed as permitted or conditional and the State had those listed in the opposite way, to Jackson, Lincoln, and Pipestone which added a number of uses not given by the State.

Lot Width and Area

- Every county except for Lac qui Parle had a variation on state standards for lot width and area.

- Some such as Jackson only diverged slightly, while others such as Cottonwood and Murray had very similar regulations, but didn't quite match up with the State's categories.
- Only Lyon makes note that stricter underlying zoning standards supersede Shoreland regulations.

Placement and Height of Structures

- Each county except for Lyon and Swift had additional requirements for the height and placement of structures.
- Cottonwood, Jackson, Murray, and Pipestone have added or different regulations for height.
 - Cottonwood and Jackson: Limits height in residential districts to 30 feet (Cottonwood) and 35 feet (Murray and Jackson) or 2.5 stories (Jackson). This is more permissive than the state at 25 feet.
 - Pipestone says that height in the Natural Environment Shoreland and Special Protection Shoreland is limited to 25 feet.
- Jackson, Lincoln, Murray, Pipestone, and Rock also have a number of added or different setback requirements.
 - In each case here the setbacks are more restrictive than the State or cover areas that the State does not.

Design of Structures

- Jackson, Lac qui Parle, Murray, and Pipestone had added or more specific design requirements for structures.
 - Pipestone requires that there be no more than 25% lot coverage in Recreational Commercial and Natural Environment Shoreland.
 - Lac qui Parle had some additions to water-oriented structures, including patios as allowed with detached decks, and boathouses or boat storage is not included as the one allowable water-oriented structure.
 - Murray added regulations for water-oriented accessory structures, stairways, observation decks, attached garages, and privacy fences.
 - Jackson added to water-oriented accessory structures regarding allowance for the structure to be attached to the primary use and stairways related to vegetation clearing.

Special Provisions

- Six counties had extra regulations or specificities that could be classified apart from other topics.
 - Cottonwood, Jackson, Lac qui Parle, Lincoln, Murray, and Swift
- Four counties have language about feedlots that differs from the State

- Cottonwood: Sets the minimum setback from the OHWL at 1,000 feet when the State requires 300 feet.
- Lac qui Parle: New feedlots are not allowed (State says okay with a minimum 300 foot setback) and existing feedlots cannot expand to a capacity of 1,000 animal units (State does not have this restriction).
- Lincoln: Says there shall be 300 foot minimum riparian setback (State uses “OHWL”) for all lake classes (State says “all public water basins”). Under the expansions/modifications portion, Lincoln uses “lake class” and “riparian” instead of OHWL, but the rest is consistent.
- Murray: Has a 1,000 foot setback (as opposed to the 300 foot State requirement) from the OHWL, but 300 feet from the OHWL of a stream or river, and/or the extent of the 100-year floodplain, whichever is greater.
- Road, Driveways, etc.
 - Cottonwood, Jackson, Lac qui Parle, Murray, Swift all added that a qualified individual must provide documentation that roads and parking areas are made to minimize erosion to public waters.
 - Swift also noted that a permit is required when roads, etc. are placed in the bluff and shore impact zones.
- Impervious Surface
 - Jackson added the porous pavers or porous material will be counted at a 50% rate if best management practices were followed in design, installation, and maintenance as found in the MPCA Stormwater BMP manuals.
 - Murray added that impervious surface must not exceed 15% of lot area for Natural Environment Lakes or 12,000 square feet and that it must not exceed 20,000 square feet on lots within the Special Protection District.
- Agricultural Use Standards (not including information on feedlots)
 - Lac qui Parle: Notes that the shore impact zone for parcels with permitted agriculture is an area with a 50 foot average width and a 30 foot minimum width (the State says is equal to a line parallel to and 50 feet) from the OHWL.
 - Murray: Added that a conservation plan can be done by a registered engineer and that pastures need a 50 foot buffer from the OHWL of General Development or Natural Environment Lakes.
 - Swift: Added that a conservation plan is to be provided by a qualified individual or agency.
- Additional Provisions
 - Lac qui Parle: Under Forest Management Standards, lists the applicable provisions of a number of resources and guidelines.
 - Lincoln: Adds provisions for Group Projects and Vehicular Access.

- Murray: Adds provisions for the creation of beaches and screening for Commercial, Public, and Semipublic Uses.

Vegetation

- Five counties added language regarding vegetation to their ordinances: Jackson, Lac qui Parle, Murray, Pipestone, and Rock.
 - Jackson, Murray, and Rock have specific restrictions on the removal of vegetation.

Signs

- Only two counties, Lincoln and Rock, had regulations that differed from the State.
 - Lincoln: Added a list of prohibited signs.
 - Rock: Listed when a permit is not required for signs.

Sewage Treatment/Stormwater Management

- Each county ordinance contains regulations that differ from the State.
 - Related to what is allowed and how it is handled (ex. no dumping into public waters).
 - Lincoln, Murray, and Rock
 - Related to official review (required documentation and evaluation criteria).
 - Cottonwood, Lac qui Parle, Lincoln, Lyon, Murray, Swift
 - Related to when a public system must be used.
 - Jackson and Rock
 - Related to the update of non-conforming systems
 - Lincoln requires an upgrade or replacement within 5 years from the date of notice or resolution. If the Board identifies it as a public health hazard, it shall be upgraded in 90 days or written notice, unless given an extension for weather.
 - Lyon requires the upgrading or replacement within 2 years of notification.
 - Pipestone requires systems to be brought into compliance within 5 years of the ordinance enactment.
 - Rock requires conformance within 5 years of the ordinance enactment.
 - Swift requires upgrading within a reasonable period of time.

Grading and Filling

- Jackson, Lac qui Parle, Murray, and Rock had additional information in this section.
- Jackson and Rock both note when permits are needed.

- Jackson: A conditional use permit is required for substantial alteration in the Shore Impact Zone while a general permit may be issued beyond that area.
- Rock: A conditional use permit is required for grading/filling/alterations where the slope of land is toward public water or watercourses leading to a public water. A permit from the county and Commissioner of Natural Resources is required for excavations where the intended purpose is to connect to a public water.
- Jackson notes that permit evaluation will include provisions of the 1991 wetlands conservation act and that projects with permits from a given list of State and Federal entities are exempt from the county regulations.
- Lac qui Parle and Murray in some instances use the term “any wetland” where the State specifies type 2, 3, 4, 5, 6, 7, or 8.
- Murray also has more specific regulations regarding rock riprap.

Subdivisions

- Five counties added language regarding subdivisions.
 - Lac qui Parle, Lyon, Murray, Rock, and Swift
- Both Lyon and Swift ask for the applicant to present the line or contour representing the OHWL, the “toe” and the “top” of bluffs and the minimum building setback distances from the top of the bluff and the lake or stream.
- Murray has more specificity for required information, particularly of topographic information.
- See table for more details.

Planned Unit Developments

- Only Lac qui Parle and Murray had different language for PUDs.
- The other counties did not mention PUDs.

Other Provisions

- Lincoln, Murray, and Swift had a few more areas where their ordinances differed from the State regulations.
- Lincoln added information on farmsteads.
- Murray added information on non-conforming structures and two areas with alternate applicable regulations.
- Swift added information about the use and upgrading of inconsistent land use districts.

Recommendations

- Incorporate the State regulations at the beginning of the ordinance and where regulations are the same as the State do not mention them unless it's needed for additional context.
- When counties add more uses, it would be helpful to maintain a similar structure as the State's to identify how uses are permitted by shoreland category and lake/river type across counties.
- Review lot size requirements - do they need to be different than the State's?



Renewable Energy

Renewable Energy

Wind Energy Conversion Systems

Definitions

- Lincoln and Rock do not have listed definitions.
- Lyon, Murray, and Pipestone share three definitions.
 - Commercial Wind Energy Conversion System (WECS): A WECS of equal to or greater than 100 kW in total nameplate generating capacity.
 - Non-Commercial WECS: A WECS of less than 100 kW and greater than 1 kW in total nameplate generating capacity.
 - Micro-WECS: A WECS of 1 kW nameplate generating capacity or less and utilizing support towers or 40 feet or less.
- Lac qui Parle shares the definition for the first two, but says a Micro-WECS' towers can be 100 feet or less.
- Swift shares the first two, but calls them Large WECS and Small WECS instead of Commercial and Noncommercial, respectively. Swift also doesn't specify a lower limit of kW for Small WECS, just that they are less than 100 kW.
- Cottonwood shares all three definitions, but has an additional two.
 - Large WECS: Any combination of WECS with a combined nameplate capacity of 5,000 kilowatts or more.
 - Small WECS: Any combination of WECS with a combined nameplate capacity of less than 5,000 kilowatts.
- Jackson shares these last two definitions and adds its own version of a Micro-WECS
 - Micro-WECS: Any combination of a WECS with a nameplate capacity of less than 75 kW and/or 125' in height.

Application Requirements

- There's a great amount of similarity between the counties in terms of what's required for a WECS application. Please see the table for the specific requirements.
- Some notable differences however, are found under Jackson, Pipestone, and Swift's ordinances.
 - Jackson distinguishes requirements for Meteorological Towers and WECS
 - Pipestone and Swift break up requirements, needing more for Commercial (Pipestone) / Large (Swift) WECS.
 - Rock's ordinance applies to facilities with a rated capacity between 500 kW and 5,000 kW, so it is unclear how WECS less than 500 kW are handled.

Permitted Districts

- Generally, across counties Shoreland is the least permissive area for WECS while Agriculture is the most, but there are some exceptions.
- Lincoln doesn't list permitted districts, but notes in its application requirements that a Conditional Use Permit is always required.
- Rock is the only county to have only one permitted district (WECS are conditionally permitted in the General Agriculture District) and is the only county (aside from Lincoln) that doesn't assign permission based on WECS type.
 - All other counties, except Jackson, distinguish between Non-Commercial, Commercial, and Meteorological Towers (even Swift which doesn't match the names in their definitions).
 - Lac qui Parle, Lyon, and Murray also distinguish Micro-WECS
 - Jackson recognizes Micro-, Small, and Large WECS and Meteorological Towers.

Setbacks

- To see the exact setbacks for each county, please see the table.
- There are a large number of similar setbacks between all the counties (except Lincoln and Rock which are more different than similar to the other counties), but only Lac qui Parle and Murray are exactly the same.
 - Lyon is almost the same except that essential service lines and structures must be setback at least 90 feet from the centerline of any road as opposed to 150 feet in the other two counties.
- All counties include setbacks from the following:
 - Property lines/boundaries
 - (Neighboring) residences, dwellings
 - Road right-of-way
 - Other structures
- Other right-of-way and public conservation grasslands
 - Cottonwood, Lac qui Parle, Lyon, Murray, Pipestone, and Swift
- Wetlands Type III, IV, V and Other existing WECS
 - Cottonwood, Jackson, Lac qui Parle, Lyon, Murray, Pipestone, and Swift
- Internal turbine spacing
 - Jackson, Lac qui Parle, Lyon, Murray, and Pipestone
- Other
 - Jackson distinguishes between participating and non-participating project boundaries.
 - Rock also requires a setback from boundary line of state parks and cities.

Other Standards

- Again, Lyon and Murray have the same standards and Lac qui Parle is similar, but diverges in two ways:
 - Lac qui Parle notes that a non-commercial or Community-Based Energy Development (C-BED) WECS may use a tubular, monopole, or lattice tower and the ordinance doesn't note that the first 12 feet of the tower shall be unclimbable.
- Six counties require Non-Commercial WECS (Swift: "Small WECS") to have a total height of less than 200 feet.
 - Cottonwood, Lac qui Parle, Lyon, Murray, Pipestone, Swift
- Four counties do not allow WECS in active sand and gravel operations or in Native Prairie without an approved protection plan.
 - Lac qui Parle, Lyon, Murray, and Pipestone
- Rock and Lincoln note that additional local limits relative to impulsive and pure tone noises may be appropriate.
- Jackson and Lincoln allow smaller systems to use lattice construction towers.
 - Jackson: A Micro-WECS of 75 kW or less
 - Lincoln: Smaller co-generators of 40 kW or less
- Lac qui Parle, Lyon, and Murray all require a pre-construction meeting and do not require a CUP for towers less than 200 feet in height in districts where they are permitted.

Recommendation

- The ordinances are overall very similar, but synchronization across how WECS are categorized by kW and distance for setbacks would bring the counties further into alignment.

Solar Energy Systems

General

- Five of the nine counties have regulations on solar energy systems
 - Cottonwood, Jackson, Lyon, Murray, and Pipestone

Definitions

- Some counties share the same definitions, while others have small divergences.
 - **Large Solar Energy System:** A solar farm, where the primary land use of the parcel is for a solar array. Solar farms are composed of multiple solar panels on multiple mounting systems (poles and racks), and generally have a Direct Current (DC) rated capacity greater than 100 kilowatts.
 - Cottonwood, Jackson, Murray

- Pipestone's is similar, but does not include the language about being composed of multiple panels on multiple mounting systems.
- Lyon's is also similar, but with one major difference- it says the systems "generally have an Alternating Current (AC) rated capacity greater than 1 megawatt (1 MW)."
- **Small Solar Energy System:** A solar array that is an accessory use.
 - Jackson, Lyon, and Murray
- Cottonwood and Pipestone have more detailed definitions than this, but are not in conflict with it.
- Only Lyon has a definition for Midsize Solar Energy Systems.

Application Requirements

- Each county has, generally, the same requirements. Jackson notes that accessory structures are permitted separately from buildings.

Permitted Districts

- Small Systems are permitted in most districts across all counties.

Setbacks

- Every county with a solar ordinance has the following setback regulations for accessory systems:
 - a) Systems shall be subject to structure setbacks set forth in zoning districts.
 - b) Roof-Mounted: collector and racking with greater pitch than roof shall be set back roof edges by min. 2 ft.
 - c) Ground: May not extend into the side-yard, rear, or road right-of-way setback.
- Jackson additionally requires large farms to be set back at least 150 feet from property lines and 200 feet from the centerline of roads.
- Pipestone additionally requires large systems to be located at least 400 feet away from the foundation of a non-participating, occupied dwelling.
- Lyon has a number of additional setbacks by system size for neighboring property lines, dwellings, road right-of-way, and public conservation lands.

Other Standards

- The counties shared a number of other regulations. Some that were unique are as follows:
 - Jackson requires liability insurance to be maintained, covering injury and damage of at least \$1 million per occurrence and \$1 million in aggregate.

- Unlike the other codes, Jackson does not say that an accessory system would not count against the allowable number of accessory uses.
- Pipestone also requires:
 - A Stormwater Management and Erosion and Sediment Control Plan
 - That a building/roof-mounted accessory system cannot exceed 10 feet above the building/roof in height nor be installed without a written certification of a qualified engineer/building inspector that the roof is capable of supporting the system.
 - The total collector surface for a ground/pole-mounted accessory system in Rural Residential not exceed 10% of the lot area
 - The other ordinances say not more than 1% of the lot area in a non-agricultural district.

Recommendations

- There was also not much difference between ordinances here for the counties that had one, so getting the counties without solar energy systems regulations to adopt them would bring more conformity to the nine counties as a whole.
- Check out “agrophotovoltaics” in case there is interest in preserving farmland while allowing for large-scale solar energy systems. This appears to be a new way to treat solar panels that still allows for crop harvesting. A new solar energy system ordinance might be able to encourage this through new rules or perhaps permitting hierarchies.

A tall, multi-level telecommunications tower made of metal lattice. It features several large, white, circular satellite dishes and rectangular antennas mounted on different levels. A central vertical mast with a ladder runs up the tower. The background is a clear blue sky.

Telecommunications

Telecommunications

General

- Six counties had dedicated sections to Telecommunications.
 - Lincoln has them listed as a conditional use.
 - Pipestone lists different types of telecommunications towers as permitted uses and lists application conditions for cell towers under Essential Services, but does not have a dedicated section to telecommunications.
 - Swift did not have a section nor mention them in permitted/conditional use sections.
- Overall, Rock County has the most detailed ordinance.

Application Requirements for New Towers

- All counties (except Lincoln, Pipestone, and Swift) require documentation showing best efforts to co-locate or reasons why it was unsuccessful.
 - All except Cottonwood list some example reasons. Only Lyon directly cites “coverage objections of the carrier.”
 - Where others ask for co-location of towers within one mile, Lyon asks for two miles.
- Lyon also asks for a site plan drawn to a scale of 1 in. to 20 ft. or less.
- The six counties also ask for an agreement that the newly constructed tower will open for co-location. The number of additional antennas varies between counties (discussed under Other Regulations).
- Only Cottonwood doesn’t specifically ask for FAA or FCC documentation (or proof why it isn’t needed).
- Jackson and Rock both ask for proof of liability and worker’s compensation insurance.
- Rock also notes that construction must be completed within one year of permit issuance and landscaping installed in the first growing season after completion.
- Pipestone has application requirements for cell towers under its Essential Services section and includes maps of location, alignment, and type of service as well as an Environmental Impact Statement indicating areas of conflict and solutions.

Permits and Zoning Districts

- In Cottonwood, Jackson, Lac qui Parle, Lincoln, and Rock County telecommunications towers require a conditional use permit.
 - In Cottonwood, a County Setback Permit is also required.
- Lyon and Murray outline instances where a permit isn’t required (generally, adding to existing towers without increases in height- Lyon), or less than 20 ft.-

Murray) or a Land Use Permit is required instead (less than 35 ft. increase in height or adding accessory structures- Lyon).

- In Pipestone County, telephone microwave relay towers, radar installation and towers, and radio and television towers are permitted in the Industry District.
- Cottonwood, Lac qui Parle, and Lyon did not specify zoning districts where telecommunications infrastructure is permitted.
 - Lyon does say they are not allowed in the Shoreland District

Setbacks

- While there is some overlap with setback regulations, no two ordinances are exactly the same.
 - Jackson and Cottonwood are the most similar, both requiring towers to be setback an equal distance from its height from property lines, requiring accessory structures to be setback 50 feet from side and rear yards, and anchoring stations to be at least 10 feet from property lines. Cottonwood additionally requires accessory structures to be setback 65 feet from the right-of-way line.
- Lac qui Parle and Murray also share a setback regulation that the tower must be setback equal to its height from property lines.
- Lyon, on the other hand, states the setback should be from the parcel or easement boundary, and it can be reduced with an engineer's report of fall distance. Lyon also requires accessory buildings to be setback according to the underlying zoning.
- Lac qui Parle, Lyon, Murray, and Rock have other setbacks for towers.
 - Lac qui Parle: Must be setback 1,000 feet from the OHWL and, if taller than 200 feet, 3 miles from an airport.
 - Lyon: Must not be within 500 feet of a Protected Residential Area or existing residence.
- Murray and Lac qui Parle also have setbacks for guy wires.
 - Lac qui Parle: 25 feet to property lines and per the underlying district for public road right-of-ways.
 - Murray: 30 feet to property lines and per the underlying district for public road right-of-ways.
- Rock County has the most detailed setbacks as it distinguishes them by type of tower (monopole, guyed wire, freestanding). Rock also has the most types of things to be setback from:
 - Suburban Residence District
 - Agricultural District
 - State Highways and Interstate 90
 - All other County ROW

- Shoreland, Rural Service, Blue Mound State Park, protected environmental features
- Airport clear zone

Other Regulations

- The six counties (Cottonwood, Jackson, Lac qui Parle, Lyon, Murray) each have a requirement that new towers be designed to accommodate additional towers, but the number varies between counties.
 - Cottonwood: Must accommodate at least 2 future users.
 - Jackson and Lac qui Parle: Must accommodate 2 future users if over 100 feet or 1 if between 60 and 100 feet.
 - Lyon: Must accommodate 3 future users if over 100 feet or 2 if between 75 and 100 feet.
 - Murray: Must accommodate 3 future users if over 200 feet or 2 if less than 200 feet.
 - Rock: Must accommodate 2 future users if over 99 feet and 1 if between 35 and 99 feet.
- Rock County has some additional height restrictions.
 - In Limited Agriculture, Suburban Residence, General Business, and Highway Business Service towers are limited to the minimum height required to function.
 - Antennae on roofs cannot exceed 15 feet above the highest point of the roof and must be setback 10 feet from the edge.
 - Antennae on walls or facades cannot exceed 5 feet from the cornice line.

Existing/Non-Conforming Towers

- Some ordinances specifically note that a review or permit is needed for the alteration of towers.
 - Cottonwood: A tower may be modified with a County Setback Permit.
 - Jackson: Additions to an existing tower require a zoning permit.
 - Lac qui Parle: Additional structures require review by the Zoning Administrator.
 - Lyon and Rock say that replacements or alterations must conform to latest standards.
- Lyon and Rock also have provisions that if the structure is damaged or destroyed, it can be rebuilt as-was if repair costs are less than 50% of the assessed value.
 - Lyon also requires a Land Use Permit.
- Lac qui Parle and Murray require a CUP for increased height.

Recommendations

- These ordinances are overall pretty similar and there's an opportunity to adjust the setbacks, height, and capacity requirements to make them consistent across counties.

A photograph of a rural agricultural landscape. In the foreground, there is a field of tall, golden-brown grain, possibly wheat or barley. In the middle ground, a green and white combine harvester is visible on the left, moving through the field. To the right of the harvester, several large, round hay bales are scattered across the field. The background shows a line of trees under a cloudy sky. The entire image is framed by a thin black border.

Agricultural Preservation

Agricultural Preservation

Zoning Districts

- Every county has at least one agriculture zoning district.
 - Rock and Swift have two.
 - The Lincoln's Shoreland Special Protection District is noted to protect ag land.
- The ordinances also allow ag in other districts (i.e. rural residential, urban expansion).
- Lyon and Murray also have detachment clauses, where any land that becomes detached from a municipality will be automatically designated with the agricultural zoning district.

Unique Policies

- Jackson is the only county that has a list of goals and policies in the zoning ordinance and the only one to mention the possible requirement of an Environmental Assessment Worksheet.
- Restrictions on dwellings
 - Jackson also has some limitations for non-farm dwellings on land that is of agricultural value. Lyon has similar regulations, in some cases prohibiting the siting and in others allowing for it by a conditional use permit.
 - Pipestone: No non-farm dwelling units shall be permitted on land which has been historically farmed within 5 years of the date of application for a building permit.
- Lac qui Parle is the only county that requires a CUP for wildlife/natural protection easements or covenants that's placed on 10 or more contiguous acres.

Recommendations

- I think the greatest opportunity for streamlining preservation policies across the ordinances is with the adoption of detachment clauses, having consistent rules about the siting of dwellings, and having a consistent definition of "prime agricultural land" or "land of agricultural value."

General Recommendations

General Recommendations

Definitions

- How the definitions are labeled can be improved to help a reader find those that are related. For example, instead of listing a definition for a new feedlot as “New-Feedlot,” list it as “Feedlot, New” so that the reader will see all feedlot-related definitions in one place.

Incorporation of State Regulations

- In instances where there are State regulations applying to a subject, it might be helpful to reference the state regulation at the top and then have the county ordinance only contain what is different instead of repeating state rules. This will alert the reader to the State requirements and since they must be read as well, referring to those regulations instead of repeating them could help provide more clarity for those items specifically asked for by the county and protect against future amendments of State law creating a contradiction in the county ordinance.
 - This is especially applicable to the Shoreland sections of each county ordinance.

Setbacks

- Creating similar setback categories and setback distances might be the most time-intensive task, but would go a long way in making it easier to work across county lines.

Permits

- Harmonizing the thresholds for permitting between counties is an even greater way to create consistent expectations for developers and others working in multiple counties to know what the general expectations are in each one.

Feedlots	Cottonwood	Jackson	Lac qui Parle	Lincoln	Lyon	Murray	Pipestone	Rock	Swift
	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall not be considered animal feedlots under these rules. Other definitions relating to feedlots are found in Minnesota Pollution Control Agency's Rules for the Control of Pollution From Animal Feedlots. These rules are adopted by reference in this Ordinance.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall not be considered animal feedlots. Pastures shall not be considered animal feedlots under these rules. Manure storage areas of the site of the feedlot will be considered as a feedlot for this Ordinance.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For the purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall not be considered animal feedlots. Pastures shall not be considered animal feedlots under these rules. The Administrator shall define the area covered by a feedlot.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry are animal feedlots. Pastures are not animal feedlots.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry are animal feedlots. Pastures are not animal feedlots.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered animal feedlots. Pastures shall not be considered feedlots.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered feedlots. Pastures shall not be considered feedlots. Manure storage areas of the site of the feedlot will be considered as a separate feedlot. Notwithstanding the above definition "feedlot" shall be defined under this ordinance, as the same as defined by Minnesota Rules 2020, as amended.	A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this Ordinance. The Environmental Director shall define the area covered by a feedlot.	
Definition of Feedlot	For the purposes of this ordinance, a new feedlot shall be considered to be a site where new essential utility services would be required to be installed on the property, such as a new well or water source, or new electric service to the property.	Where a feedlot did not previously exist or where an animal feedlot existed previously which has been abandoned or unused for a period of five or more years or when the application meets two or all of the following: 1) the site is on its own separate parcel of land; 2) the site has its own water supply; 3) the site has its own electrical service.	A animal feedlot constructed and operated on a site where no animal feedlot existed previously or where a pre-existing animal feedlot has been abandoned or unused for a period of 5 years or more.	A livestock feedlot on a site where no feedlot existed prior to the adoption of this Ordinance, or a livestock feedlot where a preexisting livestock feedlot has been abandoned or unused for a period of five years or more.	Any animal feedlot not in existence or not having registered with the MPCA prior to January 1, 2002.	An animal feedlot constructed and operated at a site where no animal feedlot existed previously or where a pre-existing animal feedlot has been abandoned or unused for a period of five years or more.	An animal feedlot constructed after January 27, 1998 on a site where no animal feedlot existed previously, and is not considered an existing feedlot by definition. If the constructed feedlot requires new utilities and is more than 500 feet from an existing feedlot it shall be considered a new feedlot.	'New animal feedlot' means an animal feedlot constructed and operated at a site where no animal feedlot existed previously, the expansion of an existing feedlot to a location in excess of 500 feet from the existing feedlot as measured from the expansion's nearest point, and the continuation in use of an existing animal feedlot which has been abandoned or unused for a period of five years or more.	An animal feedlot constructed and operated on a site where no animal feedlot existed previously or where a preexisting animal feedlot has been abandoned or unused for a period of five years or more.
Definition of New Feedlot									
Definition of Existing Feedlot	Any feedlot in existence at the time of adoption of Ordinance #23, May 1, 1995, whether permitted or unpermitted, including those that upon adoption of Ordinance #23 become a nonconforming use. Any non-conforming feedlot which after the date of adoption of Ordinance #23 becomes a nonconforming use shall be considered an existing feedlot for the period of one year, shall thereafter conform to the regulations in the Agricultural District.	Expansion or Expanded, Feedlot: Construction or any activity that has resulted or may result in an increase in the number of animal units for an animal feedlot is capable of holding or an increase in storage capacity of a manure storage area.	An existing feedlot which was in operation on August 21, 1997, or within the previous 5 years	Feedlot, Existing: A livestock feedlot used at the time of adoption of this Ordinance. Include the confined feedlots, breeding, raising or holding of livestock in uncovered enclosures specifically designed as confinement areas in which animal manure may accumulate. This shall not include areas normally used for pasture or crops. Feedlot Expansion: An increase in the capacity of an existing animal feedlot.	Feedlot, Existing: Any animal feedlot in existence and having registered with the MPCA prior to January 1, 2002.	Feedlot, Existing: Any animal feedlot in existence on or before May 6, 2007, and has had livestock in the past five years. Feedlot, Change in Operation: An increase beyond the permitted maximum number of animal units, or increase in the number of animal units which are confined at an unpermitted animal feedlot requiring a construction investment, or a change in the construction operation of an animal feedlot that would affect the storage, handling, utilization or disposal of animal manure.	Existing Feedlot: For the purpose of setbacks only, a lot or building or combination of lots and buildings that were constructed prior to January 27, 1998 and are maintained in a functioning and legal manner. This may be a registered or un-registered site. Expansion to a Feedlot: New construction or alteration of an existing feedlot which would require a new feedlot permit and/or a building permit from the Pipestone County Conservation and Zoning Office. If the constructed building does not require new utilities such as a well, electrical meter, water meter, or is less than 550 feet from the outer most lot or building of the existing feedlot, it shall be considered an expansion to an existing feedlot.		Operational at this time.
Definition of Dwelling, Residence	Residence: The place in which a person, or people reside, live, or dwell. A dwelling place.	Residence: For the purpose of Livestock Feedlot setback requirements any home that is inhabited or carries an estimated market value of more than \$3,000 in the Jackson County Assessor's Office.	Dwelling: means a residential building or portion thereof intended for occupancy by a single family, but not including hotels, motels, boarding or rooming houses, or tourist homes. Residence: for purposes of the application of the feedlot ordinance means any dwelling which is currently occupied or has been occupied for a period of five days within 5 years of the permit application.	Dwelling: Any building or part thereof designed or occupied for residential purposes. Dwelling, Farm: Located on a farm where the predominant income is not derived from agricultural activities. Non-farm Dwelling: Homes and accessory structures occupied by persons whose predominant income is not derived from agricultural activities. Neighboring Dwelling: A family dwelling, seasonal dwelling, building site or vacant site that shows evidence of once being a dwelling, shall be considered a neighboring dwelling for these purposes unless owned by the applicant. Residence: Any Dwelling where an occupant resides for a period of no less than Thirty (30) days in a calendar year.	Dwelling Unit: Any structure or portion thereof designed or used exclusively for residential occupancy, or other shelter designed as short or long-term living quarters, for one family and including, but not limited to, a mobile home, trailer, camper, bus or tent is not a dwelling unit. When considering mobile homes, see mobile homes definition. All other mobile homes are not considered to be a dwelling unit, permanent or otherwise. Dwelling, single family: A free-standing (detached) dwelling structure designed for or occupied by one (1) family, including manufactured homes.	Residence: used in feedlot ordinance, but no definition. Dwelling Unit: not used in ordinance, but for (whenever): Two or more rooms within a structure which are arranged, designed or used as short or long term living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed shall be included for each dwelling. A mobile home with the above accommodations located in areas approved for mobile homes, and motel, hotel, and resort rooms and cabins shall be considered a dwelling unit. (travel trailer, house trailer, camper trailer, or tent occupied by one (1) family, including manufactured homes.	Residence: used in feedlot ordinance, but no definition. Dwelling Unit: not used in ordinance, but for (whenever): Two or more rooms within a structure which are arranged, designed or used as short or long term living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed shall be included for each dwelling. A mobile home with the above accommodations located in areas approved for mobile homes, and motel, hotel, and resort rooms and cabins shall be considered a dwelling unit. (travel trailer, house trailer, camper trailer, or tent occupied by one (1) family, including manufactured homes.	Residence: Residence means any dwelling occupied or to be occupied by persons as a place of abode and shall include residences located in counties and states adjacent to Rock County.	
Permitted Districts	AG - Agricultural District, up to 1000 AUs	a) AG - Agricultural Preservation, less than 1,000 AUs b) C - Conservancy District, less than 1,000 AUs c) Shoreland Lakes General Use District d) Shoreland Rivers District	a) A - Agricultural District	a) AG - Rural Preservation Management District, 299 or fewer AUs	a) A - Agricultural District	a) A - Agricultural District	a) A - Agricultural District	a) AG - General Agricultural District, when 1,000 AUs or fewer (or 999?)	a) Agricultural District #1 and #2 1) Less than 500 AUs 2) May be issued an Interim Permit for 300 AUs or less
Conditional	In AG-1, when a) more than 1000 AUs b) 10 or more AUs in sensitive areas c) expansion of existing feedlots located in sensitive areas d) any feedlot regardless of size, that as part of their manure management plan proposes land application of manure in sensitive areas	a) UR-Urban/Rural Residential 1) New and Expanding b) Shoreland Lakes Special Protection District (1 mile) radius of the site. c) When a feedlot is proposed, there is submitted opposition from noticed landowners.	In A, when: a) With over 1,000 AUs b) An existing feedlot is expanded to more than 1,000 AUs c) An existing feedlot with more than 1,000 AUs proposes to expand d) Any expansion/modification in the Shoreland Management District or bluff impact zone e) When a certain number of AUs within a certain distance of 10 or more residences or a municipality 1) Any size, less than 3,960 feet (3/4 mile) 2) 51-150 AUs; 3,960 feet (3/4 mile) 3) 151-1,000 AUs; 5,280 feet (1 mile) 4) 1,001 and more; 7,920 feet (1.5 miles) f) Proposing the use of any earthen manure storage basin g) Proposing to be built within 300 feet from all public and private drainage ditches	a) AG - Rural Preservation Management District, more than 299 AUs b) Where an existing feedlot of up to 1,000 AUs proposed to expand c) Expansion within Shoreland Management District, Wetland Protection Area, or bluff impact zone d) Any feedlot requiring the Environmental Review Program	a) A - Agricultural District, when 300+ AUs	a) A - Agricultural District when: 1) Constructing aagoon system or earthen storage basin for manure 2) Expanding an existing feedlot (1/8 mile) of an adjoining property line 3) 300+ AUs 4) Not covered concrete pit b) An expansion to 1,000 AUs or more	a) A - Agricultural District when: 1) Constructing aagoon system or earthen storage basin for manure 2) Expanding an existing feedlot (1/8 mile) of an adjoining property line 3) 300+ AUs 4) Not covered concrete pit b) An expansion to 1,000 AUs or more	a) A1 - Limited Agricultural District, with spatial restrictions a) AG - General Agricultural District, 1,000 AUs or more District section says greater than 1,000. c) S1 - Shoreland District When expanding within 1,320 feet (1/4 mile) of a residence, incorporated city, church, cemetery, Blue Mound State Park, or Schoeneman Park	New Feedlots a) 501 or more AUs Existing Feedlots a) Expansion over and beyond 500 AUs b) Expansion of 50-500 AUs expanding within 5,280 feet (1 mile) of a municipality c) Any expansion or modification within shoreland management districts or bluff impact zones Any feedlot a) Any feedlot requiring the environmental review program pursuant to Minnesota Statutes b) Any new feedlot or expansion with an earthen storage basin, regardless of animal size.
General Provisions	a) With 10+ AUs, must register with MPCA b) A copy of materials submitted to MPCA must also be submitted to the County	a) Permanent manure stockpile sites and manure compost sites will be considered a feedlot for this Ordinance and shall meet the appropriate setback for a new or expanded feedlot.	a) With more than 50 AUs (10 in Shoreland), need a Certificate of Compliance	a) With 10+ AUs, must obtain a permit from the County Board of Commissioners	a) Total capacity not to exceed 3,000 AUs b) Total swine not to exceed 2,000 AUs	a) With 10+ AUs, must obtain a permit from the County	a) With 10+ animals, must obtain a permit from the County or MPCA (use of or)	a) With 10+ animals, must obtain a permit from the County or MPCA (use of or)	a) With 51 or more animals or 10 in Shoreland Management District, must obtain a permit
Noticing Requirements	a) 500+ AUs: residents and property owners within 5,000 feet of the perimeter 1) 20 business days 2) First-class mail, in-person, or newspaper publication	a) 500+ AUs: residents and property owners within 5,000 feet of the perimeter 1) 20 business days 2) First-class mail, in-person, or newspaper publication	a) 500+ AUs: residents and property owners within 5,000 feet of the perimeter 1) 20 business days 2) First-class mail, in-person, or newspaper publication	a) 10 days prior to hearing in official county newspaper b) The Clerk and Chairperson of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 2,640 feet (1/2 mile) of the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet	a) 10 days prior to hearing in official county newspaper b) The Clerk of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 1,320 feet (1/4 mile) and/or to the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet	a) 10 days prior to hearing in official county newspaper b) The Clerk of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 1,320 feet (1/4 mile) and/or to the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet	a) 10 days prior to hearing in official county newspaper b) The Clerk of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 1,320 feet (1/4 mile) and/or to the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet	a) 10 days prior to hearing in official county newspaper b) The Clerk of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 1,320 feet (1/4 mile) and/or to the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet	a) 10 days prior to hearing in official county newspaper b) The Clerk of the Township c) The Clerk of any City within 5,280 feet (2 miles) d) Property owners within 1,320 feet (1/4 mile) and/or to the 10 nearest properties, whichever is greater e) For 500+ animals, all residents and owners within 5,000 feet
Spatial Requirements	a) 1,200 AUs or less: 1) no closer than 2,640 (1/2 mile) feet from a church, neighboring residence or 1,320 feet (1/4 mile) with a rototized water 2) existing feedlots may expand to 1,200 AUs without setback requirements (this includes to an owner's residence if the owner sells the feedlot) b) 1,201+ AUs: 1) no closer than 3,960 feet (3/4 mile) from a church, neighboring residence or 1,320 (1/4 mile) feet with a rototized water c) Alternative CUP and no closer than 1,320 feet (1/4 mile) or 94% odor free in modeling 1) Expansion of a feedlot which utilized the waiver, variance, or offset process in its initial permitting process must utilize the waiver, variance, or offset process when expanding, regardless of AU expanding No new feedlots: a) within 5,280 feet (1 mile) of specified towns and unincorporated areas b) within the 10-year time of travel zones of public water supply sources c) within 100 feet of any private well d) within 100 year Flood Plain areas or in the shoreland of watercourses e) within bluff impact zones f) within 1,000 feet of the ordinary high water mark of a lake, pond, or flowage g) within 300 feet of the ordinary high water mark of a stream or river h) within 300 feet of open ditches, or open tile intakes In sensitive areas: a) Not within 1,000 feet of a public well within WWSMA or 200 feet outside Expansions a) Located within 300 feet of the ordinary high water level or within a bluff impact zone, modification/expansion is allowed but must not further encroach into the existing ordinary high water level setback or encroach on bluff impact ditches b) Located within 5,280 feet (1 mile) of specified towns and unincorporated areas, expansion to 1,000 AUs is permitted	a) 1,200 AUs or less: 1) no closer than 2,640 (1/2 mile) feet from a church, neighboring residence or 1,320 feet (1/4 mile) with a rototized water 2) existing feedlots may expand to 1,200 AUs without setback requirements (this includes to an owner's residence if the owner sells the feedlot) b) 1,201+ AUs: 1) no closer than 3,960 feet (3/4 mile) from a church, neighboring residence or 1,320 (1/4 mile) feet with a rototized water c) Alternative CUP and no closer than 1,320 feet (1/4 mile) or 94% odor free in modeling 1) Expansion of a feedlot which utilized the waiver, variance, or offset process in its initial permitting process must utilize the waiver, variance, or offset process when expanding, regardless of AU expanding No new feedlots: a) within 5,280 feet (1 mile) of specified towns and unincorporated areas b) within the 10-year time of travel zones of public water supply sources c) within 100 feet of any private well d) within 100 year Flood Plain areas or in the shoreland of watercourses e) within bluff impact zones f) within 1,000 feet of the ordinary high water mark of a lake, pond, or flowage g) within 300 feet of the ordinary high water mark of a stream or river h) within 300 feet of open ditches, or open tile intakes In sensitive 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feedlot which utilized the waiver, variance, or offset process in its initial permitting process must utilize the waiver, variance, or offset process when expanding, regardless of AU expanding No new feedlots: a) within 5,280 feet (1 mile) of specified towns and unincorporated areas b) within the 10-year time of travel zones of public water supply sources c) within 100 feet of any private well d) within 100 year Flood Plain areas or in the shoreland of watercourses e) within bluff impact zones f) within 1,000 feet of the ordinary high water mark of a lake, pond, or flowage g) within 300 feet of the ordinary high water mark of a stream or river h) within 300 feet of open ditches, or open tile intakes In sensitive areas: a) Not within 1,000 feet of a public well within WWSMA or 200 feet outside Expansions a) Located within 300 feet of the ordinary high water level or within a bluff impact zone, modification/expansion is allowed but must not further encroach into the existing ordinary 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Measurement	From the closest corner of the feedlot building or manure storage facility, to the closest corner of the neighboring residence.	From the closest foundation (residence, church) or boundary lines (parks, municipalities) to the closest foundation of the building housing animals or manure storage.	Nearest point of a neighboring dwelling to the nearest corner of the livestock or manure holding structure.	Nearest point of a neighboring dwelling to the nearest corner of the livestock or manure holding structure.	Nearest point of the feedlot or the expanding portion of an existing animal feedlot.	Nearest point of the feedlot or the expanding portion of an existing animal feedlot.	Nearest point of the feedlot or the expanding portion of an existing animal feedlot.	Nearest point of the feedlot or the expanding portion of an existing animal feedlot.	Measure from corner of house that is closest to feedlot to closest corner of nearest barn on feedlot.
Manure Management	a) Earthen Basins or Open Top Concrete Pits 1) At least 5,280 feet (1 mile) from a church or neighboring residence, 2,640 feet (1/2 mile) with a rototized water b) Alternative CUP and no closer than 2,640 feet (1/2 mile) or 94% odor free in modeling c) Existing feedlots are allowed to install an earthen basin or open top concrete pit to solve an existing pollution problem d) No long-term manure storage stockpiles located in sensitive areas e) 6-foot chain fence, 8 feet for hogs. f) No new Hog Production Facilities shall be allowed to construct an Earthen Basin or Open Top Concrete Pit for manure storage. g) Dead animals must be contained within a structure h) Permits required for composting and burial i) Setbacks for composting and burial sites 1) Composting sites for new feedlots a) At least 2,640 feet (1/2 mile) from neighboring residences, churches, or public facilities b) At least 5,280 feet (1 mile) from Municipalities and Delt c) 150 feet on the down-slope side from water supply wells or abandoned wells d) 50 feet from property line e) 100 feet from all public road right of ways f) 300 feet from tile intakes g) 700 feet from streams or rivers h) 1000 feet from lakes, ponds, and wetlands i) The general floodplain. j) Flood prone areas. k) The Minnesota River Management District. l) The Shoreland Management District. m) Wetlands or wet areas. n) Delisted Wetland protection areas. o) Within a 5,280 feet (1 mile) radius of Municipal Wells and Public Water Supply Wells.	a) Earthen Basins or Open Top Concrete Pits 1) At least 5,280 feet (1 mile) from a church or neighboring residence, 2,640 feet (1/2 mile) with a rototized water b) Alternative CUP and no closer than 2,640 feet (1/2 mile) or 94% odor free in modeling c) Existing feedlots are allowed to install an earthen basin or open top concrete pit to solve an existing pollution problem d) No long-term manure storage stockpiles located in sensitive areas e) 6-foot chain fence, 8 feet for hogs. f) 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Shoreland	Cottonwood	Jackson	Lac qui Parle	Lincoln	Lyon	Murray	Pipestone	Rock	Swift
	Land located within the following distances from public waters: (1) 1,000 feet from the ordinary high water level of a lake, pond, or flowage; (2) 300 feet from a river or stream or the landward extent of the floodplain designated by Ordinance on such a river or stream, whichever is greater. The practical limit of a shoreline may be less than the statutory limit whenever the water involved is bounded by a natural topographic divide which extends landward from the water for a lesser distance, and when approved by the Commissioner of Natural Resources.	Land located within the following distances from public waters: 1000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Minnesota Department of Natural Resources Division of Waters map.	Land located within the following distances from public water: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.	Land located within the following distances from public waters: One Thousand (1,000) feet from the OHWL of a lake, pond, or flowage; and Three Hundred (300) feet from a river or stream, or the landward extension of a floodplain designated by Ordinance on such a river or stream, whichever is greater. Note: The Administrator shall make on-site verifications as necessary. Where boundaries overlap, the more restrictive public waters class is applied.	Land located within the following distances from public waters: (1) One thousand (1,000) feet from the ordinary high water level of a lake, pond, or flowage; or (2) three hundred (300) feet from a river or stream or the landward extension of a floodplain designated by this Ordinance on such a river or stream, whichever is greater. The limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner of Natural Resources, and the County Commissioners.	Land located within the following distances from the public water: (1) One thousand (1,000) feet from the ordinary high water level of a lake, pond, or flowage; or (2) three hundred (300) feet from a river or stream or the landward extension of a floodplain designated by Ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.	Means land located within the following distances from public water: (1) 1,000 feet from the normal high water mark of a lake, pond, or flowage; and (2) 300 feet from a river or stream, or the landward extent of a flood plan designated by ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.	Land located within the following distances from public waters: (1) 1,000 feet from the normal high water mark of a lake, pond or flowage; and (2) 300 feet from a river or stream, or the landward extent of a flood plan designated by ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.	Land located within the following distances from public waters (1) 1,000 feet from the normal high water mark of a lake, pond or flowage; and (2) 300 feet from a river or stream, or the landward extent of a flood plan designated by ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.
Definition of Shore Impact Zone	Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.	Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.	Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.	The land located between the OHWL of public waters and a line parallel to it at a setback of 50 percent (50%) of the structural setback, or Fifty (50) feet for permitted agricultural land uses.	Land located between the ordinary high water level of public water and a line parallel to it at a setback of 50 percent of the structure setback.	Land located between the normal high water level of public water and a line parallel to it at a setback of 50 percent of structure setback.		Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.	Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.
Definition of Shoreland Setback	Setback: The minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, right-of-way, property line, or other facility.	The minimum horizontal distance between a structure and the normal high water mark.	The minimum horizontal distance between a structure and the normal high water mark.	Setback, Riparian or Shoreland: The minimum horizontal distance between the OHWL, and a structure, sewage treatment system or other facility. Shore Land Setback: The minimum horizontal distance between a structure and the normal high water mark.	Setback: The minimum horizontal distance between a structure, sewage system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, right-of-way, highway right-of-way, property line, or other facility.	The minimum horizontal distance between a structure and the normal high water mark.	The minimum horizontal distance between a structure and the normal high water mark.	The minimum horizontal distance between a structure and the normal high water mark.	Setback: The minimum horizontal distance between building, structure, sewage treatment system, or other facility and an ordinary high water level, bluff line, road or highway, or property line.
Definition of Floodplain, Floodway	Floodplain: The areas adjoining a watercourse which have been or hereafter may be covered by the regional flood. Floodway: The channel of the watercourse and those portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.	Floodway: The bed of a wetland or lake and channel of the watercourse and those portions of the adjoining flood plains which are reasonably required to carry and discharge the regional flood.	Floodplain: The areas adjoining a watercourse which has been or hereafter may be covered by the regional flood. Flood Plain areas in Lincoln County shall encompass all areas designated as Zone A on the Flood Insurance Rate Map. Floodway: The bed of a wetland or lake and the channel of the watercourse and those portions of the adjoining flood plain that is reasonably required to carry and discharge the regional flood.	Flood Plain: The channel or beds proper and the areas adjoining a wetland, lake or watercourse that has been or hereafter may be covered by the regional flood. Flood Plain areas in Lincoln County shall encompass all areas designated as Zone A on the Flood Insurance Rate Map as defined in Lincoln County Ordinance No. 27 entitled "Flood Plain Management Ordinance - General Flood Plain Ordinance". Floodway: The bed of a wetland or lake and the channel of the watercourse and those portions of the adjoining flood plain that is reasonably required to carry and discharge the regional flood.	Floodplain: The channel or beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood. Floodplain areas within Lyon County shall encompass all areas designated as Zone A on the Flood Insurance Rate Map. Floodway: The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry and store the regional flood discharge.	Floodplain: The channel or beds proper and the areas adjoining a wetland, lake or watercourse which has been or hereafter may be covered by the regional flood. Floodplain areas within the County shall encompass all areas designated as Zone A on the Flood Insurance Rate Map. Floodway: The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.	Flood Plain: The areas adjoining a watercourse, which has been or hereafter may be inundated to from flooding.	Flood Plain: The beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood. Floodway: The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining flood plain which are reasonably required to carry or store the regional flood discharge.	Floodplain: The beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood. Floodway: The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining flood plain which are reasonably required to carry or store the regional flood discharge.
Definition of Ordinary High Water Level	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the OHWL is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	Ordinary High Water Level means the boundary of water basins, water courses, public waters and public water wetlands; and A. The ordinary high water level is an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial; B. For water courses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.	A mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The normal or ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the normal or ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the normal or ordinary high water level is the operating elevation of the normal summer pool.	The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the OHWL is the elevation of the top of the bank of the channel. For reservoirs and flowages, the OHWL is the operating elevation of the normal summer pool.
Permits	Certificate of Zoning Compliance	a) Conditions attached to conditional use permits: 1) Increased setbacks from the ordinary high water level	Permit: a) Shoreland Alterations b) Construction of buildings or building additions (including construction of docks and signs) c) Installation and/or alteration of sewage treatment systems d) Grading and filling where required e) Any installation/treatment of an individual sewage treatment system f) Any construction of additional bedrooms to a residence g) Installation of mechanical equipment that requires water usage and grey water disposal h) Transfer of ownership of property Certificate of Zoning Compliance Any alterations below the OHWL must be authorized by the Commissioner under MN 103g.245 (text is missing 103g.405) and requires a permit from the Administrator Noticing A) A copy of all notices of hearings and approved amendments and subdivision/split shall be mailed to the DNR.	a) Construction/addition to structures 1) Must update nonconforming sewer systems 2) Change of use 3) Must have all necessary state and federal permits 4) Placement of fill or excavation materials Individual Sewage Treatment Systems a) Any installation/treatment of an individual sewage treatment system b) Any construction of additional bedrooms to a residence c) Installation of mechanical equipment that requires water usage and grey water disposal d) Transfer of ownership of property Certificate of Zoning Compliance Any alterations below the OHWL must be authorized by the Commissioner under MN 103g.245 (text is missing 103g.405) and requires a permit from the Administrator Noticing A) A copy of all notices of hearings and approved amendments and subdivision/split shall be mailed to the DNR.	Use Permits a) Construction of / addition to buildings 1) Must update nonconforming sewer systems b) Installation/alteration of sewage treatment systems c) Grading/filling where not exempted Certificate of Zoning Compliance	Shoreland Zoning Permit a) Construction of buildings or additions (including docks and signs) 1) Additions with a nonconforming sewage system must stipulate its reconstruction or replacement b) Installation/alteration of sewage treatment systems c) Non-exempt grading and filling activities Environmental Service Office Review a) Placement of pads, patios, pathways, landscaping root beds, retaining walls, etc. should be reviewed to meet the intensive surface coverage requirements Fish House a) An individual lot owner is allowed one licensed fish house per lot without a permit. Must meet all setback requirements. Agricultural conservation erosion control plans a) Approved by SWCD/NRCS can be exempt from the permit fee Beaches a) Shall include an approved DNR aquatic vegetation removal permit, where required.	a) Grading and filling (in amount specified, but the definition of Land Alteration says it is more than 50 cubic yards in Shoreland) b) Variances, conditional uses, subdivisions, amendments, and rezones shall be forwarded to the State Commissioner of Natural Resources at least 10 days prior to the hearing date. c) Any alteration to the bed of public waters must receive approval by the State Commissioner of Natural Resources, the County Planning Commission, and Board of County Commissioners prior to operations. Uses are structured by zoning district rather than between shoreland type and lake or river class. Natural Environment Shoreland District - NES a) Permitted Uses 1) Single Family 2) Permitted Uses in Agricultural 3) Seasonal dwellings d) Designated Historical or Archaeological sites e) Conditional Uses 1) Utility lines 2) Non-residential structures used with raising wild animals or fish 3) Other uses of the same character as those permitted f) Golf courses g) Nature areas, hiking, wildlife preserves, designated wetland areas h) Designated historical sites i) Conditional Uses - same as NES Special Protection District Uses a) General Development Lakes 1) Single Residential: P (C) 2) Small Farm Winery i) General Development, Natural Environment, Agricultural, Tributary: P (n/a) c) Large Farm Winery 1) GD, NE, A, T, C (n/a) Residential Districts a) General Development, C (P) 2) Parks and Historic Sites: C (P) 3) A and T 1) Triplex and Quad Residential: N (C) General Use District Uses a) General Development, C (P) 1) Commercial: C (P) Lot Area and Width Distinction between sewer and unsewered isn't made, but number match state's unsewered except: a) Natural Environment, non-riparian 2) Duplex, Triplex, and Quad not listed b) General Development, non-riparian a) Area: 20,000 (40,000) b) Width: 100 (150) Special Protection on Lakes a) General Development 1) Area: 5 acres b) Width: 500 c) Natural Environment a) Area: 10 acres b) Width: 1,000 River/Stream/Lot Size a) Single 1) Min Sq Ft: 120,000 2) Min Depth: 300 b) Duplex 1) Min Sq Ft: 160,000 2) Min Depth: 300 3) Min Width: 535 Combines residential and agricultural (not in State) districts are stricter and supersede the lot dimensions identified in the ordinance. 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Projections into the water shall not exceed a distance greater than one-third the lake/stone frontage, and in no case extend 1,000 ft beyond the high water mark. b) For structures on lakes, ponds, or flowages, it specifies that where sufficient data on high water level are not known, the elevation of the line of permanent terrestrial vegetation shall be used. If this is required to meet the elevation, the fill shall be allowed to stabilize before construction. c) For structures on rivers or streams it specifies placement should be consistent with applicable local flood plain management ordinances, where information doesn't exist, the elevation shall be determined by evaluating flood information consistent with state standards.	a) Permit required for installation or extension of a structure wet b) Signs c) Use Grading and Filling - Conditional Use Permit. 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Uses	a) Commercial and Industrial Uses combine water-oriented commercial uses and general uses b) Lot Area for Ag/Residential 1) Unsewered a) Natural Environment 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres b) Recreational Development 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres c) General Development 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres c) Lot width for Ag/Residential 1) Recreational Development 1) Riparian: 80 2) Non-riparian: 80 a) General Development 1) Riparian: 80 2) Non-riparian: 80	a) There are many listed uses not noted in the State Statute or listed, but differentiated between with structures and without structures. b) Lot area for General Development Lakes, Sewered, Nonriparian 1) Duplex: 17,000 (17,500) 2) Quad: 32,000 (32,500)	Uses listed are same in state regulations, but are not broken down by district.	Special Protection District a) Added language: Third, to protect valuable agricultural lands and promote sound agricultural practices within the purview of this Section. b) Added to permitted uses: Essential Services c) Added to conditional uses: 1) Utilities not considered essential services 2) New roads and railroad lines. 3) Nonresidential structures for raising wild game or fish 4) Agricultural structures, provided on an existing farmstead and not closer to OHWL than any existing structure 5) Farm and non-farm single family dwellings, and mobile homes 6) Public and semi-public uses Residential District a) Added to conditional uses: 1) Mobile Homes 2) Mobile Home parks, meeting certain conditions 3) Recreational Camping Vehicle Areas Natural Environment Lakes: a) Unsewered 1) Nonriparian lot area a) Duplex: 120,000 (180,000) General Development (Lakes): a) Unsewered 1) Riparian lot width a) Duplex: 185 (180)	Land Use a) Construction/addition to structures 1) Must update nonconforming sewer systems 2) Change of use 3) Must have all necessary state and federal permits 4) Placement of fill or excavation materials Individual Sewage Treatment Systems a) Any installation/treatment of an individual sewage treatment system b) Any construction of additional bedrooms to a residence c) Installation of mechanical equipment that requires water usage and grey water disposal d) Transfer of ownership of property Certificate of Zoning Compliance Any alterations below the OHWL must be authorized by the Commissioner under MN 103g.245 (text is missing 103g.405) and requires a permit from the Administrator Noticing A) A copy of all notices of hearings and approved amendments and subdivision/split shall be mailed to the DNR.	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Placement & Height of Structures	a) Commercial and Industrial Uses combine water-oriented commercial uses and general uses b) Lot Area for Ag/Residential 1) Unsewered a) Natural Environment 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres b) Recreational Development 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres c) General Development 1) Riparian: 2.5 acres 2) Non-riparian: 2.5 acres c) Lot width for Ag/Residential 1) Recreational Development 1) Riparian: 80 2) Non-riparian: 80 a) General Development 1) Riparian: 80 2) Non-riparian: 80	a) There are many listed uses not noted in the State Statute or listed, but differentiated between with structures and without structures. b) Lot area for General Development Lakes, Sewered, Nonriparian 1) Duplex: 17,000 (17,500) 2) Quad: 32,000 (32,500)	Uses listed are same in state regulations, but are not broken down by district.	Special Protection District a) Added language: Third, to protect valuable agricultural lands and promote sound agricultural practices within the purview of this Section. b) Added to permitted uses: Essential Services c) Added to conditional uses: 1) Utilities not considered essential services 2) New roads and railroad lines. 3) Nonresidential structures for raising wild game or fish 4) Agricultural structures, provided on an existing farmstead and not closer to OHWL than any existing structure 5) Farm and non-farm single family dwellings, and mobile homes 6) Public and semi-public uses Residential District a) Added to conditional uses: 1) Mobile Homes 2) Mobile Home parks, meeting certain conditions 3) Recreational Camping Vehicle Areas Natural Environment Lakes: a) Unsewered 1) Nonriparian lot area a) Duplex: 120,000 (180,000) General Development (Lakes): a) Unsewered 1) Riparian lot width a) Duplex: 185 (180)	Land Use a) Construction/addition to structures 1) Must update nonconforming sewer systems 2) Change of use 3) Must have all necessary state and federal permits 4) Placement of fill or excavation materials Individual Sewage Treatment Systems a) Any installation/treatment of an individual sewage treatment system b) Any construction of additional bedrooms to a residence c) Installation of mechanical equipment that requires water usage and grey water disposal d) Transfer of ownership of property Certificate of Zoning Compliance Any alterations below the OHWL must be authorized by the Commissioner under MN 103g.245 (text is missing 103g.405) and requires a permit from the Administrator Noticing A) A copy of all notices of hearings and approved amendments and subdivision/split shall be mailed to the DNR.	Use Permits a) Construction of / addition to buildings 1) Must update nonconforming sewer systems b) Installation/alteration of sewage treatment systems c) Grading/filling where not exempted Certificate of Zoning Compliance	a) Grading and filling (in amount specified, but the definition of Land Alteration says it is more than 50 cubic yards in Shoreland) b) Variances, conditional uses, subdivisions, amendments, and rezones shall be forwarded to the State Commissioner of Natural Resources at least 10 days prior to the hearing date. c) Any alteration to the bed of public waters must receive approval by the State Commissioner of Natural Resources, the County Planning Commission, and Board of County Commissioners prior to operations. Uses are structured by zoning district rather than between shoreland type and lake or river class. Natural Environment Shoreland District - NES a) Permitted Uses 1) Single Family 2) Permitted Uses in Agricultural 3) Seasonal dwellings d) Designated Historical or Archaeological sites e) Conditional Uses 1) Utility lines 2) Non-residential structures used with raising wild animals or fish 3) Other uses of the same character as those permitted f) Golf courses g) Nature areas, hiking, wildlife preserves, designated wetland areas h) Designated historical sites i) Conditional Uses - same as NES Special Protection District Uses a) General Development Lakes 1) Single Residential: P (C) 2) Small Farm Winery i) General Development, Natural Environment, Agricultural, Tributary: P (n/a) c) Large Farm Winery 1) GD, NE, A, T, C (n/a) Residential Districts a) General Development, C (P) 2) Parks and Historic Sites: C (P) 3) A and T 1) Triplex and Quad Residential: N (C) General Use District Uses a) General Development, C (P) 1) Commercial: C (P) Lot Area and Width Distinction between sewer and unsewered isn't made, but number match state's unsewered except: a) Natural Environment, non-riparian 2) Duplex, Triplex, and Quad not listed b) General Development, non-riparian a) Area: 20,000 (40,000) b) Width: 100 (150) Special Protection on Lakes a) General Development 1) Area: 5 acres b) Width: 500 c) Natural Environment a) Area: 10 acres b) Width: 1,000 River/Stream/Lot Size a) Single 1) Min Sq Ft: 120,000 2) Min Depth: 300 b) Duplex 1) Min Sq Ft: 160,000 2) Min Depth: 300 3) Min Width: 535 Combines residential and agricultural (not in State) districts are stricter and supersede the lot dimensions identified in the ordinance. It says the lot areas given for residential lots can be used as minimums with a variance.	a) Permitted Uses 1) Single Family 2) Permitted Uses in Agricultural 3) Seasonal dwellings d) Designated Historical or Archaeological sites e) Conditional Uses 1) Utility lines 2) Non-residential structures used with raising wild animals or fish 3) Other uses of the same character as those permitted f) Golf courses g) Nature areas, hiking, wildlife preserves, designated wetland areas h) Designated historical sites i) Conditional Uses - same as NES Special Protection Shoreland District a) Permitted Uses 1) Ag pasture, minimum tillage, farm and ag buildings 2) Forestry 3) Parks and waysides (no overnight camping) 4) Nature areas, hiking, wildlife preserves, designated wetland areas 5) Designated historical sites i) Conditional Uses - same as NES Recreation Commercial District a) Lot width 1) 200 ft	

										<p>a) No rubbish or trash will be discarded into any public water or watercourse leading to public water.</p> <p>b) Any premise for human occupancy must be provided with adequate method of sewage disposal.</p> <p>1) Shall not present a nuisance or danger to water supply or waters of the state.</p> <p>2) Privies shall be considered an adequate method if they are maintained.</p> <p>a) Shall be located 10 feet from a dwelling or lot line and structural setbacks from public waters.</p> <p>c) Only septic tanks meeting state prescribed specifications may be installed.</p> <p>a) Shall be located 10 feet from any building for human occupancy.</p> <p>b) 10 feet from a lot line.</p> <p>c) 50 feet from a well or other water supply.</p> <p>d) When feasible, placed downslope from a well.</p> <p>d) Soil absorption systems shall be:</p> <p>1) At least 50 feet from the NWM</p> <p>2) 10 feet from a lot line</p> <p>3) 20 feet from a building for human occupancy</p> <p>4) 50 feet from a well or other water supply</p> <p>5) Area not acceptable for developments on lots adjacent to public waters when the area is swampy or subject to flooding, within 4 feet of the water table, within 4 feet of bedrock, or too sloped where effluent may seep onto the surface.</p> <p>e) Disposal of sludge/solids from septic tanks must be done:</p> <p>1) Into a municipal system where practicable or</p> <p>2) At a designated site.</p> <p>3) It may not be discharged into a water body or on land without burial.</p> <p>f) Alternative sewage disposal methods are subject to state regulations.</p> <p>g) County will require bringing nonconforming systems into conformance within five years of Ordinance enactment</p>	
Sewage Treatment / Stormwater Management	<p>a) Added Evaluation Criteria:</p> <p>1) Depth to the highest known or calculated ground water table or bedrock</p> <p>2) Soil Conditions, properties, and permeability</p> <p>3) Slope</p> <p>4) The existence of lowlands, local surface depressions, and rock outcrops</p>	<p>Sewer System</p> <p>a) In order to use smaller lot size requirements, the property must be served by a publicly owned sewer system. The developer may construct and operate it before handing it over to the Sanitary Sewer District.</p>	<p>a) Added to specific stormwater management standards:</p> <p>1) Documentation must be provided consistent with the Minnesota Stormwater Manual</p> <p>2) New constructed stormwater outfalls to be consistent with Minnesota Rules, part 6115.0231</p>	<p>a) Added that a qualified individual must provide documentation that stormwater facilities are designed/installed consistent with Soil Conservation Service technical guides</p> <p>b) Where available and feasible (for nonfarm uses), public water supplies shall be used. Encouraged for existing farms</p> <p>b) No rubbish or trash will be discarded into any public water or watercourse leading to public water</p> <p>c) No solid waste disposal in the jurisdiction unless approved by MPCA and the County.</p> <p>e) County will require upgrading or replacement of any non-conforming system within five years from date of notice or resolution (earlier). After the resolution, if the Board identifies a system as a public health hazard, it shall be upgraded in 90 days of written notice, unless granted an extension for weather.</p>	<p>a) If a site's suitability can't be confirmed with publicly available info, the applicant must provide soil borings and percolations tests from on-site investigations</p> <p>b) Added Evaluation Criteria:</p> <p>1) Lot size and shape</p> <p>2) Depth to the highest known or calculated ground water table or bedrock</p> <p>3) Soil Conditions, properties, and permeability</p> <p>4) Percent and direction of slope</p> <p>5) The existence of lowlands, local surface depressions, and rock outcrops</p> <p>6) Proximity to existing or future water supplies</p> <p>c) Requires the upgrading or replacement of nonconforming systems within 2 years after notification</p>	<p>a) Added the NRCS, MPCA, or other applicable materials to be consistent with design and installation</p> <p>b) Burning or storage of yard waste or other organic material is prohibited</p> <p>c) No lime/line is given for conversion of nonconforming sewage systems</p>	<p>Nonconforming sanitary systems must be brought into compliance within five years of the ordinance enactment</p>				
Grading and Filling		<p>a) Added language: A Conditional Use Permit shall be required for substantial alteration in the Shore impact zone while a general permit may be issued beyond that area</p> <p>b) Added language: Substantial alteration defined as 500 cubic yards in districts outside of shore impact zone and shoreland district</p> <p>e) Added: Permit evaluation will include provisions of the 1991 wetlands conservation act</p> <p>f) Projects with permits from listed state and federal entities are exempt from the county regulations</p>	<p>a) Notes that grading/filling standards apply to any wetland (type 2, 3, 4, 5, 6, 7, or 8); specifies MN Rules Chapter 8420</p>		<p>Rock Riprap</p> <p>a) Specified placement of rock riprap is Class 3 rock or quarry riprap and that the height should not exceed the Regulatory Flood Protection Elevation (not noted in state)</p> <p>1) If only placing riprap (without grading) it may be done without a permit if the height does not exceed the RFFE</p>	<p>Wetlands</p> <p>a) Added Wetland Conservation Act to list of approvals needed and says that any project that includes a wetland (type 2, 3, 4, 5, 6, 7, or 8) must be evaluated</p>		<p>a) Conditional Use Permit required for grading/filling/alterations where the slope of land is toward public water or watercourses leading to a public water</p> <p>b) Excavations where the intended purpose is to connect to a public water requires a permit from the County and Commissioner of Natural Resources</p>			
Subdivision			<p>a) Additional details added to water and sewer design specifying consistency with Minnesota Rules</p> <p>b) Information requirements give the option for more current (accurate) surface water sources to be used</p> <p>c) Notes under Platting that five or more lots are cumulative</p> <p>d) Controlled access lots must meet or exceed lot size criteria</p>	<p>Subdivision Information Requirements</p> <p>a) A line or contour representing the ordinary high water level, the "top" and the "top" of bluffs and the minimum building setback distances from the top of the bluff and the lake or stream</p> <p>Platting</p> <p>a) Must submit a completed EAW to the MPCA</p>	<p>a) Is more specific on what information will be provided by the project sponsor</p> <p>b) Specifies that the soil treatment system is a Type 1 Subsurface Sewage Treatment System</p> <p>c) Topographic contours at 2-foot intervals (10')</p> <p>d) Adequate soil information to determine suitability for construction of dwellings and installation of 2' off-site, standard sewerage treatment systems</p> <p>e) Additional information on the line/outline of the OHWL and minimum building setback distances from a lake or stream is required</p>		<p>Land Subdivisions</p> <p>a) Land not suitable for a proposed use may not be subdivided</p>	<p>Subdivision Information Requirements</p> <p>a) A line or contour representing the ordinary high water level, the "top" and the "top" of bluffs and the minimum building setback distances from the top of the bluff and the lake or stream</p>			
Planned Unit Development			<p>a) Deviation from the minimum lot size standards are allowed if the PUD standards are met</p> <p>b) Added documents for PUD application:</p> <p>1) Land alteration</p> <p>2) Identification of buildings and portions of the project that are residential, commercial, or a combination of the two</p> <p>3) Sewage and water systems where public systems are not provided</p> <p>c) Covenants that address the construction of commercial buildings in residential PUDs</p> <p>d) Site plan showing floor plans for all commercial structures</p> <p>e) Specifies the inside living floor area should be used for determining base density for dwelling units in commercial PUDs</p> <p>f) Specified that all PUDs with densities at or below the base density must meet the design standards</p> <p>g) Notes that open space shall not include land below the OHWL of public waters</p>	<p>Farms</p> <p>a) An occupied farm dwelling will be considered the principal structure. If there is not one, the Administrator will decide which is the principal structure</p> <p>b) Existing farmsteads may be maintained and expanded provided the setbacks are met. Any expansion, except windbreak or shelter belt, shall be no closer than OHWL than nearest existing structure or 300 feet, whichever is less. New structures shall meet setbacks, no min. lot size. Entire farmstead is considered the lot.</p> <p>c) Farmsteads shall be considered Group Projects and not subject to lot size or setback requirements, provided that:</p> <p>1) Setbacks from the boundaries of the farmstead apply</p> <p>2) Minimum lot size is 2 acres</p> <p>3) Provisions affecting water supply and sewage treatment systems shall apply</p>	<p>a) Added factors and criteria for PUDs</p> <p>b) Added that approval cannot occur until the environmental review process is complete</p> <p>c) There are additional requirements for deed restrictions, covenants, and easements</p> <p>d) A master plan and additional documents requested by the Zoning Administrator are necessary</p> <p>e) A "Suitable Area" evaluation must occur to determine the dwelling site density evaluation</p> <p>f) Adequate provisions must be developed for preservation and maintenance in perpetuity of open spaces. Further regulation is given for open space preservation and open space requirements</p> <p>h) All residential PUDs must use an owners' association with given features unless an equally effective alternative is established</p> <p>i) Vegetative/hydrographic screening must be preserved or may be required to be provided</p>						
Other Provisions	<p>Table Notes:</p> <p>a) Aside from definitions, listed information is where a County ordinance differs from the State Regulations</p> <p>b) Some state regulations are given in parentheses for comparison</p>	<p>a) In some cases the County code is less restrictive than State regulations- is this permitted or does the more restrictive control?</p> <p>b) Subdivision 8, page 83 under 6C, I believe "must also be met" is intended to end this sentence.</p>	<p>a) Definitions related to feedlots not clustered (scattered in definitions section)</p> <p>b) Repeated definition in Section 727</p> <p>c) Quite a few additions, alterations</p> <p>d) Potential typo in 612.62-3(f); says MN Chapter 1540, but state says 1341</p>	<p>a) Two definitions of Shoreland Setback</p> <p>b) Very descriptive in zoning for townships</p> <p>c) Though well organized, the use of tables might be better for permitted/conditional uses</p> <p>d) Not including information on non-conformities or variances</p> <p>e) There are many instances where the County uses "Riparian Setback" but the state says "Building line" or "OHWL."</p> <p>f) Potential typo in 502.2-C-6; says MN Chapter 1540, but state says 1341</p>	<p>Nonconforming Structures</p> <p>a) May be continued with:</p> <p>1) Normal maintenance</p> <p>2) Limited alterations for maintenance purposes or roof repair</p> <p>3) Does not increase outside dimensions or create additional living space</p> <p>4) Does not take place within a bluff or shore impact zone or floodplain</p>	<p>Exceptions</p> <p>a) There are two exempted areas with different regulations:</p> <p>1) Hudson Acres Shoreland</p> <p>2) City of Hadley Shoreland</p>	<p>a) Subdivision 6-10: Uses without Water-Oriented Needs is confusing</p> <p>b) Sometimes "normal" is used rather than "ordinary" for the high water level</p> <p>c) There may be a typo in Subdivision 14.5B(4) where I referenced item C above and 14.5B(5)</p> <p>d) Allowable density increases will only be allowed if structure setbacks from the OHWL are increased to at least 50 percent greater than the minimum, or the impact is reduced an equivalent amount through vegetation, topography, or additional means plus the setback is at least 25 percent greater than the minimum.</p>	<p>a) Not structured off of the state regulations; organized as zoning districts with Shoreland Standards</p> <p>b) The tabulation of provisions has Shoreland listed several times, but with no information given for the line</p>	<p>a) Not structured off of the state regulations. Split of regulations are similar, but verbiage is not. Information is generalized to save space (i.e. it is noted that mobile homes are a conditional use, but their conditional provisions are not listed).</p> <p>b) Did not include information on Variances, Nonconformities, and information that could be requested by the Planning Commission</p>	<p>Use and Upgrading of Inconsistent Land Use Districts</p> <p>a) Inconsistent Land Use Designations may persist until a revision to the Official Zoning Map is proposed</p> <p>b) Lakes: When a revision is proposed it must make the boundaries and use provisions substantially compatible with the ordinance.</p> <p>c) Rivers and Streams:</p> <p>1) When a revision is proposed it must make the boundaries and use provisions substantially compatible with the ordinance</p> <p>2) If the same river classification is contiguous for more than a five-mile segment, only the shoreline for a distance of 2.5 miles upstream and downstream, or to the class boundary if closer, need be evaluated and revised</p> <p>d) Interpretations regarding use are made by the Board of Adjustment.</p> <p>e) Questions about boundaries are made by the Planning Commission.</p> <p>f) When a revision is proposed by an individual, they must provide supporting information.</p>	
Telecommunications	Cottonwood	Jackson	Lac qui Parle	Lincoln	Lyon	Murray	Pipestone	Rock	Swift		
Application Requirements for New Towers	<p>a) Name, address, phone number, and consent of owner and lessee of the land</p> <p>b) Legal description of the parcel</p> <p>c) Names, addresses, and phone numbers of all owners of other towers within 1 mile</p> <p>d) Written documentation that applicant made an effort to co-locate on a site within 1 mile</p> <p>e) Written, technical evidence from an engineer that the tower cannot be co-located to available facilities within 1 mile</p> <p>f) Written, technical evidence from an engineer that the proposed structure will meet structural requirements</p> <p>g) An agreement that the towers will be designed for 3 or more users and will not prohibit the additional users</p>	<p>a) Provide documentation of the area to be served, existing available structures, and an engineer's explanation why they are not suitable as (co-) locations</p> <p>1) Due to exceeding capacity</p> <p>2) Causing interference</p> <p>3) No existing towers within 1 mile that meet criteria</p> <p>4) Not tall enough</p> <p>5) Other reasons</p> <p>b) Engineer's report describing capacity</p> <p>c) Proof of liability and worker's compensation insurance</p> <p>d) FAA approval, or documentation showing it isn't necessary</p> <p>e) FCC licensure and approval</p>	<p>a) Potential typo under 22.06-3-C-1 where it mentions item D, but there is no item D</p> <p>b) Potential typo should be 1 and 2 instead of A and B7)</p> <p>c) Potential typo in 612.62-3(f); says MN Chapter 22.06-4-B-3</p>	<p>a) Two definitions of Shoreland Setback</p> <p>b) Very descriptive in zoning for townships</p> <p>c) Though well organized, the use of tables might be better for permitted/conditional uses</p> <p>d) Not including information on non-conformities or variances</p> <p>e) There are many instances where the County uses "Riparian Setback" but the state says "Building line" or "OHWL."</p> <p>f) Potential typo in 502.2-C-6; says MN Chapter 1540, but state says 1341</p>	<p>a) Towers in excess of 35 ft need an appropriate permit</p> <p>b) FCC & FAA proof of application</p> <p>c) Provide documentation to explain why existing structures within a 2 mile radius are not suitable as co-locations</p> <p>1) Due to exceeding capacity</p> <p>2) Causing interference</p> <p>3) Not tall enough</p> <p>4) Other reasons</p> <p>5) Coverage objections of the carrier</p> <p>d) An agreement that the tower will allow for co-location</p> <p>e) Site plan drawn to a scale of 1 inch equals 20 ft or less</p>	<p>a) Engineer's report of capacity</p> <p>b) Letter of intent from owner to allow co-locate</p> <p>c) Location of all airports within a 3 mile radius</p> <p>d) FAA notice of hazard</p> <p>e) FCC licensure and approval</p> <p>f) Erosion control plan</p> <p>g) Site plan</p> <p>h) Documentation of existing structures within a 1 mile radius and explanation of why they were not chosen</p> <p>1) Due to exceeding capacity</p> <p>2) Causing interference</p> <p>3) Not tall enough</p> <p>4) Other reasons</p> <p>5) An agreement that the owner will allow for co-location</p>	<p>a) Cell Towers</p> <p>b) Maps of the location, alignment, and type of service</p> <p>c) Environmental Impact Statement indicating areas of conflict and solutions</p>	<p>a) Provide documentation of the area to be served, existing available structures within 1 mile, and an explanation why they are not suitable as (co-) locations</p> <p>1) Due to exceeding capacity</p> <p>2) Causing interference</p> <p>3) No existing towers within 1 mile that meet criteria</p> <p>4) Not tall enough</p> <p>5) Proof of best efforts to co-locate or explanation of other reasons</p> <p>6) Letter from owner committing to shared use</p> <p>7) FCC licensure and approval</p> <p>8) Proof of liability and worker's compensation insurance</p> <p>9) Proof of design by engineer</p> <p>10) Intermediation study to identify interference issues</p>	<p>a) Potential typo in 7.3-B-1: State should say shore 1540, but state says 1341</p> <p>c) Should 7.3-C-2-z say a and b above instead of 1 and 27</p> <p>d) Typo in 7.5-B: Form should say from</p>		
Permits and Districts	<p>a) Conditional Use Permit</p> <p>b) County Setback Permit</p> <p>c) Not allowed on properties whose principal use includes explosive, flammable, or hazardous materials</p>	<p>a) Agricultural Preservation, Conservancy, Urban/Rural Residential, General Business: Conditional Use Permit</p>	<p>a) Conditional Use Permit</p>	<p>a) Rural Preservation Management, Business and Industry: Conditional Use Permit</p>	<p>a) Not allowed in Shoreland District</p> <p>b) No Permit required</p> <p>1) Routine maintenance</p> <p>2) Adding antenna(s) to an existing tower that meet standards and do not increase height do not need a permit</p> <p>c) Land Use Permit</p> <p>1) Addition/placement of accessory structures at a tower facility</p> <p>2) Addition of antenna(s) to existing structures that results in a height increase of less than 35 ft and doesn't require major modifications</p> <p>c) Conditional Use Permits</p> <p>1) Placement of a new tower or expansion to a tower that increases its height</p> <p>2) Addition of antenna(s) to existing structures that increases height more than 35 ft</p> <p>3) Addition of antenna(s) to an existing tower that would increase the height</p>	<p>a) Agricultural, General Business, Industrial: Conditional Use Permit</p> <p>1) Except addition of antenna(s) to existing structures that results in a height increase of less than 20 ft and doesn't require modifications</p>	<p>a) Industry District: Permitted</p> <p>1) Telephone microwave relay towers</p> <p>2) Radar installation and towers</p> <p>3) Radio and television towers</p>	<p>a) General Agriculture: Conditional Use Permit</p> <p>b) Shall not be approved in Unincorporated Agricultural, Suburban Residence, General Business, or Highway Business Service Districts unless the tower cannot be located in other districts or jurisdictions</p>			
Setbacks	<p>a) Towers</p> <p>1) A distance equal to the tower height from property lines</p> <p>2) Measured from the base of the tower</p> <p>b) Accessory structures</p> <p>1) 65 ft. from the right-of-way line</p> <p>2) 50 ft. from side and rear yards</p> <p>c) Anchoring stations</p> <p>1) 10 feet from property lines</p>	<p>a) Towers</p> <p>1) A distance equal to the tower height from property lines</p> <p>2) Measured from the base of the tower</p> <p>b) Accessory structures</p> <p>1) 50 ft. from side and rear yards</p> <p>c) Anchoring stations</p> <p>1) 10 feet from property lines</p>	<p>a) Towers</p> <p>1) A distance equal to the tower height from property lines</p> <p>2) If 200 ft or more in height, must be located at least 3 miles from an airport</p> <p>b) Guy wires</p> <p>2) 25 ft to property lines and underlying district for public road right of way</p>	<p>a) Towers and support buildings/structures shall blend into the environment, unless otherwise required by Federal Law</p> <p>1) Towers may also be painted red and white</p> <p>b) New towers must accommodate 3 additional users if over 100 ft or 2 is greater than 75 ft and less than 100 ft</p>	<p>a) From parcel and/or recorded easement boundary, equal to the height of the tower</p> <p>1) Could be reduced by half with engineer's report certifying it would fall within the distance to the boundary</p> <p>b) Not within 500 ft of Protected Residential Area or existing residence</p> <p>c) Accessory buildings must meet underlying district setbacks</p>	<p>a) Tower</p> <p>1) From property lines: an amount equal to the height</p> <p>2) Residence: An amount equal to the height plus 100 ft</p> <p>3) OHW mark: 1,000 ft</p> <p>4) Guy wires</p> <p>1) Property lines: 30 ft</p> <p>2) Public road right-of-way: Per underlying district</p>	<p>a) Towers, antennas, and accessory buildings/structures shall blend into environment, except where dictated by state and federal laws</p> <p>b) Min. 6 ft. high chain link fence with 3 strands of barbed wire to prevent climbing</p> <p>c) New towers must accommodate 3 additional users if over 200 ft or 2 ft under 200 ft</p> <p>d) Ground-mounted equipment should be screened</p>	<p>a) Suburban Residence District</p> <p>1) Residential structure or vacant parcel platted for residential development: 4x height of tower</p> <p>b) Agricultural District</p> <p>1) Residential structure or vacant parcel platted for residential development</p> <p>a) Monopole, guyed wire: 2x height of tower</p> <p>b) All other freestanding: 4x height of tower</p> <p>c) State Highways 23 & 75, and I-90 ROW</p> <p>1) Guyed wire, monopole: 2x height of tower</p> <p>2) Other freestanding tower: 4x height of tower</p> <p>d) All other County ROW</p> <p>1) Guyed wire, equal to height of tower</p> <p>2) Monopole: 2x height of tower</p> <p>3) Other freestanding tower: 4x height of tower</p> <p>e) Shall not be located between a principal structure and public ROW</p> <p>f) Shoreland, Rural Service, Blue Mound State Park, any city or county park, DNR protected waters, protected environmental features</p> <p>1) Guyed wire: 2x height of tower</p> <p>2) Monopole or freestanding: 4x height of tower</p> <p>3) Guyed wire: 1 mile</p> <p>2) Freestanding: 12 mile</p>			
Other Regulations	<p>a) No new towers shall be erected unless they can accommodate at least 2 future facilities owned by other persons</p> <p>b) Towers not required to have FAA painting or markings shall blend into their environment</p> <p>c) Min. 6 ft. high chain link fence with 3 strands of barbed wire to prevent climbing</p>	<p>a) New towers must accommodate 2 additional users if over 100 ft or 1 if between 60 and 100 ft</p> <p>b) Must accept future rearrangement and and antennas mounted at varying heights</p> <p>c) Shall blend in to environments</p> <p>d) Min. 6 ft. high chain link fence with 3 strands of barbed wire to prevent climbing</p>	<p>a) New towers must accommodate 2 additional users if over 100 ft or 1 if between 60 and 100 ft</p> <p>b) Unless otherwise required by State or Federal regulations, towers shall blend into the environment</p> <p>c) Min. 6 ft. high anti-climbing fence</p> <p>d) Ground-mounted equipment must be screened</p>		<p>a) Towers and support buildings/structures shall blend into the environment, unless otherwise required by Federal Law</p> <p>1) Towers may also be painted red and white</p> <p>b) New towers must accommodate 3 additional users if over 100 ft or 2 is greater than 75 ft and less than 100 ft</p>	<p>a) Can increase height with a CUP</p>	<p>a) Does Subdivision 6 noting the requirement of a site plan and building plan for a permit apply to those that are exempted from a CUP under Subdivision 2?</p>	<p>a) No dedicated section</p> <p>b) Non-inclusive of use of "tower"</p>	<p>a) May not be replaced or structurally altered without complying</p> <p>b) In non-conforming, Planning Commission can consider if for co-location</p> <p>c) If damaged/destroyed, can be rebuilt as-is when repair costs are less than 50% of its assessed value</p>		
Table Notes:		<p>a) This section of the code could be organized into sections to provide for easier reading</p>		<p>a) No dedicated section</p>					<p>a) No section</p>		
Agricultural Preservation	Cottonwood	Jackson	Lac qui Parle	Lincoln	Lyon	Murray	Pipestone	Rock	Swift		
Preservation Language	<p>a) Ag zoning district</p>	<p>a) Ag zoning district</p> <p>b) An optional EAW may be required for projects in or near prime agricultural soils</p> <p>c) Some limitation on siting of non-farm dwellings on land with agricultural potential</p> <p>d) Listed goals and policies</p>	<p>a) Ag zoning district</p> <p>b) Requires a CUP for easement/covenant being placed for environmental protection on 10 or more contiguous acres of ag land.</p>	<p>a) Ag zoning district</p> <p>b) Special Protection District in Shoreland is noted to protect ag land</p>	<p>a) Ag zoning district</p> <p>b) Detachment Clause: any land detached from an incorporated municipality shall be placed in the Ag District</p> <p>c) Dwellings not permitted on land that has an agricultural crop equivalency (CER) rating of greater than 60 as determined by the USDA or NRCS soils rating</p> <p>d) Single Family Dwellings on High Quality Farmland Soils may be allowed by conditional use.</p>	<p>a) Ag zoning district</p> <p>b) Detachment Clause: any land detached from an incorporated municipality shall be placed in the Ag District</p>	<p>a) Ag zoning district</p> <p>b) No non-farm dwelling units shall be permitted on land which has been historically farmed within 5 years of the date of application for a building permit.</p>	<p>a) Two Ag zoning districts</p> <p>b) Detachment Clause: any land detached from an incorporated municipality shall be placed in one of the Ag Districts</p>	<p>a) Two Ag zoning districts</p>		